

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s): ERICKSON, Dennis; TAYLOR, Keith
Title: CONSTRUCTION FRAMING SYSTEM AND TRACK THEREFOR
Serial No.: 10/733321 Confirmation No.: 9077
Filed: 12 December 2003
Examiner: Jeanette E. Chapman Art Unit: 3633
Date: 6 October 2009

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE

This communication is responsive to the Office action mailed 6 July 2009, as extended, where applicable, under 37 C.F.R. § 1.136(a) by payment of appropriate extension of time fees.

RESPONSE TO RESTRICTION REQUIREMENT

The Applicant elects invention I (including claims 1-7, 12-17, 20, 22-32, 34-40, 50-59) as identified by the Examiner in the 6 July 2009 Office Action without traverse.

RESPONSE TO SPECIES ELECTION

The Applicant elects the track species shown in Figures 2, 3A-3D, 8A and 8B without traverse. The Applicant elects the upper/lower (e.g. floor/ceiling) configuration comprising deformable upper and deformable lower tracks without traverse. Claims 1-7, 12-14, 16, 22-28, 30, 47-59 read on both of these elected species.

AMENDMENT

Please amend this application as follows:

- **Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.
- **Remarks/Arguments** begin on page 16 of this paper.